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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

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DAVID TROUPE,

8   Plaintiff,

9   v.

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WILLIAM SWAIN, et al.,

11   Defendants.

CASE NO. C14-5886 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

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13   This matter comes before the Court on the Report and Recommendation ("R&R")

14   of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 14), and

15   Plaintiff David Troupe's ("Troupe") objections to the R&R (Dkt. 15).

16   On December 29, 2014, Judge Strombom issued the R&R recommending that the

17   Court dismiss Troupe's amended complaint because Troupe failed to file an acceptable

18   complaint after being granted leave to amend and after being given specific instructions

19   regarding the form and contents of an acceptable complaint. Dkt. 14. On January 8,

20   2015, Troupe filed objections and a request for leave to amend his amended complaint.

21   Dkt. 16.

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ORDER - 1

1   With regard to Troupe's objections, they are without merit because Judge

2 Strombom provided specific instructions regarding the length and content of an

3 acceptable amended complaint. Dkt. 6. Troupe failed to heed these instructions and,

4 instead, filed a lengthy amended complaint naming over 100 defendants. Dkt. 10.

5 Therefore, the Court adopts Judge Strombom's recommendation of dismissing the

6 complaint.

7   With regard to Troupe's request for leave to amend, Troupe has failed to provide

8 any indication that he is willing to file an acceptable complaint. In light of Troupe's

9 previous failure to abide by Judge Strombom's instructions, the Court finds that granting

10 Troupe leave to amend will not result in the filing of an acceptable complaint.

11   Therefore, the Court having considered the R&R, Troupe's objections, and the

12 remaining record, does hereby find and order as follows:

13   (1)   The R&R is **ADOPTED**; and

14   (2)   This action is **DISMISSED without prejudice**.

15   Dated this 6th day of February, 2015.

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18   BENJAMIN H. SETTLE
      United States District Judge

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ORDER - 2